

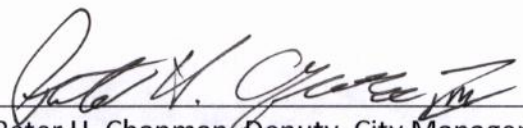


To the Honorable Council  
City of Norfolk, Virginia

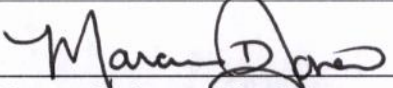
September 15, 2015

From: Charles E. Rigney, Sr., Director of Development

**Subject:** Ordinance to approve the conveyance of certain parcels of property from Norfolk Redevelopment and Housing Authority to the City of Norfolk

Reviewed:   
Peter H. Chapman, Deputy City Manager

**Ward/Superward:** 2/6

Approved:   
Marcus D. Jones, City Manager

**Item Number:** **R-25**

- I. **Recommendation:** Adopt Ordinance
- II. **Applicant:** City of Norfolk
- III. **Description**  
This agenda item is an ordinance to authorize the conveyance from Norfolk Redevelopment and Housing Authority ("NRHA") to the City of Norfolk ("City") of certain parcels of property located between 24<sup>th</sup> Street and 27<sup>th</sup> Street in the City of Norfolk.
- IV. **Analysis**  
These parcels, located between 24<sup>th</sup> Street and 27<sup>th</sup> Street, are currently part of the Lambert's Point Redevelopment Project.
- V. **Financial Impact**  
N/A
- VI. **Environmental**  
N/A
- VII. **Community Outreach/Notification**  
Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

**VIII. Board/Commission Action**

N/A

**IX. Coordination/Outreach**

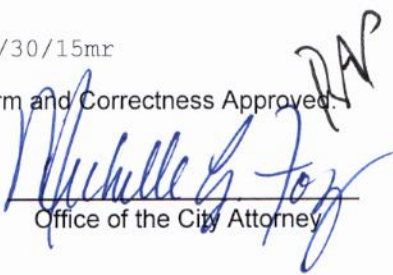
This letter and ordinance have been coordinated with the Department of Development and the City Attorney's Office.

Supporting Material from the City Attorney's:

- Ordinance
- Exhibit A

07/30/15mr

Form and Correctness Approved: 

By   
Office of the City Attorney

Contents Approved:

By   
DEPT. Development

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE APPROVING THE CONVEYANCE TO THE CITY OF NORFOLK BY NORFOLK REDEVELOPMENT AND HOUSING AUTHORITY OF CERTAIN PARCELS OF PROPERTY LOCATED BETWEEN 24<sup>TH</sup> STREET AND 27<sup>TH</sup> STREET THAT ARE CURRENTLY PART OF THE LAMBERT'S POINT REDEVELOPMENT PROJECT AND AUTHORIZING THE CITY MANAGER TO ACCEPT THE DEED ON BEHALF OF THE CITY.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the conveyance by the Norfolk Redevelopment and Housing Authority to the City of Norfolk of certain parcels of property located between 24<sup>th</sup> Street and 27<sup>th</sup> Street that are currently part of the Lambert's Point Redevelopment Project, which parcels of property are more particularly described in Exhibit A attached hereto and made a part hereof, is hereby approved.

Section 2:- That that City Manager and other proper officers of the City are hereby authorized to accept a deed from Norfolk Redevelopment and Housing Authority, in form satisfactory to the City Attorney, and to do all things necessary and proper to effect the conveyance of the parcels of property to the City.

Section 3:- That this ordinance shall be in effect from and after its adoption.

Exhibit A  
Legal Descriptions

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**PARCEL ONE**

**ALL THOSE** certain lots, pieces or parcels of land, with the buildings and improvements thereon, situate in the City of Norfolk, Virginia, being known, numbered and designated as Lots 44, 46, 47, 48 and the eastern one-half of Lot 45, and the 5 foot strip of land adjacent to said Lots 47 and 48, designated as "5 foot strip reserved", in Block 2, on the plat of the "Property Belonging to Bellany, Hough & Hardy, Inc.", dated May 25, 1906 and duly recorded in the Clerk's Office of the Circuit Court of the City of Chesapeake (formerly Norfolk County), Virginia in Map Book 7, at page 17; and Lots 2 and 3, in Block 7 on the Plat of Bungalow Park, duly recorded in the Clerk's Office of the Corporation Court, now the Circuit Court, of the City of Norfolk, Virginia, in Map Book 3, at page 46, and which property is more particularly described as follows, to-wit:

Beginning at the southwest corner of Twenty-Seventh Street and Hampton Boulevard, thence running along the western line of Hampton Boulevard, 10.2 feet to a pin in the western line of the right-of-way of the Cotton Mill Branch of the Norfolk and Western Railway; thence along the western line of said right-of-way S.24°44'W. 200.18 feet to a pin in the northern line of Twenty-Sixth Street; thence along the northern line of Twenty-Sixth Street N.64°37'W. 99.64 feet to a pin; thence N.25°23'E. 105 feet to a point in the southern line of said Lot 46; thence along the southern line of said Lots 46 and 44, N.64°37'W. 37.50 feet to a point in the western line of said Lot 44; thence along the western line of said Lot 44, N.25°23'E. 105 feet to a pin in the southern side of Twenty-Seventh Street; thence along said southern line of Twenty-Seventh Street 130.51 feet to the western line of Hampton Boulevard, the point of beginning aforesaid.



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**PARCEL TWO**

**ALL THAT** certain piece or parcel of land, situate in the City of Norfolk, Virginia, being a part of that certain lot designated as Lot 42, in Block 2, as shown on the plat of the property belonging to Bellamy, Hough & Hardy, Inc., at Lambert's Point, Virginia, which plat is duly recorded in the Clerk's Office of the Circuit Court of Chesapeake (formerly Norfolk County), Virginia in Map Book 7, at Page 17, which property is more particularly described as follows:

Beginning at a point in the intersection of the southern line of Twenty-seventh Street and the eastern line of said Lot 42, as shown on the aforesaid plat, and thence running in a southerly direction along said eastern line of Lot 42, a distance of 105 feet to the dividing line of said block; thence turning and running in a westerly direction, along said dividing line of said block, a distance of 15 feet to a point; thence turning and running in a northerly direction, along a line parallel to said eastern line of Lot 42, a distance of 105 feet to a point in said southern line of Twenty-seventh Street; thence turning and running in a easterly direction, along said southern line of Twenty-seventh Street, a distance of 15 feet to a point, which is the point of beginning.

Expressly subject to the restriction that, so long as the remainder of Lot 42 to the west of and adjacent to the above described property shall be used for residential purposes, the above described property shall be used only for ingress and egress to the property situated immediately to the east of and adjacent to the above described property.

**PARCELS ONE AND TWO BEING** the same property conveyed to Norfolk Redevelopment and Housing Authority by Deed of Stanton Corporation t/a Robo Autobath dated February 2, 2010, duly recorded in the Clerk's Office of the Circuit Court of the City of Norfolk as Instrument Number 100002835.

**PARCEL THREE**

ALL THAT certain lot, piece or parcel of land, lying, situate and being in the City of Norfolk, Virginia, said property being bounded on the north by the right of way of 27<sup>th</sup> Street and Hampton Boulevard, formerly Ghent Boulevard; on the east by Lot 1, Block 7, as shown on that certain plat entitled, "Map of Bungalow Park", dated May 6, 1914 and recorded in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia in Map Book 3, at Page 46; on the south by the right of way of 26<sup>th</sup> Street; and on the west by Lots 2 and 3, Block 7, as shown on that certain plat entitled, "Map of Bungalow Park", dated May 6, 1914 and recorded in the Clerk's Office of the Circuit Court of the City of Chesapeake, Virginia in Map Book 3, at Page 46.

IT BEING the same property conveyed to Norfolk Redevelopment and Housing Authority by Deed of Norfolk Southern Railway Company dated May 27, 2010, duly recorded in the Clerk's Office of the Circuit Court of the City of Norfolk as Instrument Number 100010578.

**PARCEL FOUR**

All that certain lot, piece or parcel of land, with the improvements thereon, situated in the City of Norfolk, Virginia, on Hampton Boulevard also known, numbered and designated as all of Parcel "B" as shown on that plat entitled "Subdivision of Lots 1-8 incl. & 11, Block 5, Map of Bungalow Park, Norfolk, Virginia, as recorded in Map Book 40, Page 125, in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia.

**PARCEL FIVE**

All that piece or parcel of land situate, lying and being in the City of Norfolk, Virginia, containing 0.1205 of an acre, more or less, and being shown on a plat entitled, "Plat Showing Portion of Norfolk & Western Railroad Co. Right of Way Reference D.B. 171, Page 535 To Be Conveyed to Murphy Oil U.S.A., Inc. Norfolk, Virginia," dated November 10, 1997, prepared by Ernest C. Hawkins, Jr.,

Commonwealth of Virginia Land Surveyor No. 001087 of Ernest C. Hawkins, Jr. and Associates, a copy of which plat was recorded in Map Book 51, Page 74, in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia, on the 30<sup>th</sup> day of December, 1997 and which plat is incorporated herein by reference and made a part hereof.

**TOGETHER WITH** that property of Russell Properties, L.L.C. adjoining the southerly line of the above described 0.1205 of an acre parcel of land and extending in a southwardly direction to the center of West 25<sup>th</sup> Street.

**AND ALSO**, that property of Russell Properties, L.L.C. adjoining the northerly line of the above described 0.1205 of an acre parcel of land and extending in a northwardly direction to the center of West 26<sup>th</sup> Street.

**PARCELS FOUR AND FIVE** being the same property conveyed to Norfolk Redevelopment and Housing Authority by Deed of Russell Properties, L.L.C., dated February 2, 2009, duly recorded in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia as Instrument Number 090002637.

**PARCEL SIX**

**ALL THAT** certain lot, piece or parcel of land, with the buildings and improvements thereon, situate within the City of Norfolk, Virginia, described as "Lot X" as shown on that certain plat entitled "Resubdivision of 'Section A' and 'Parcel D-D2'...Norfolk, Virginia, for Norfolk Redevelopment and Housing Authority" dated March 12, 2009, prepared by Rouse-Sirine Associates, Ltd., and duly recorded in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia, in Map Book 67, at Page 30.

**TOGETHER WITH** the right to use as a railroad siding, in common with Kenva Corporation, its successors and assigns, that portion of the land shown on that certain plat entitled "Resubdivision of Property Shown on Plat Entitled 'Plat of Property of Kenva Corp.'", dated February 1953, which plat was attached to a deed from Kenva Corporation dated April 10, 1953, with said deed and plat duly of record in the Office of the Clerk of the Circuit Court of the City of Norfolk, Virginia, in Map Book 15, at pages 36 and 37 referred to as "16 feet easement for spur tracks," which is not included in the above described property, which said easement, as shown on the Kenva plat, extends from the eastern line of Bowden's Ferry Road to the western line of the Cotton Mill Branch of the Norfolk & Western Railroad, but it is understood and agreed that there is expressly retained on the part of Kenva Corporation the right to grant to the present or future owners and occupants of the land shown on said plat and of the land on the south side of



Twenty-fifth Street now or formerly owned and occupied by Gary Steel Products Corporation, the right to use said easement as a railroad siding, over its entire length, as shown on said plat, the use of said easement being limited to the use thereof in connection with the use and occupancy of said lands.

Said spur track easement is also subject to the conditions and restrictions set out in the aforementioned Kenva Corporation deed dated April 10, 1953 and of record in d Clerk's Office of the Norfolk Circuit Court in Deed Book 645 at Page 305, and to such conditions and restrictions of record, if any, as may affect the said property.

**IT BEING** a part of the same property acquired by Norfolk Redevelopment and Housing Authority in condemnation proceedings against Barbara H. Barnes and Frederick L. Judge, etc., At Law No. CL05-384, as evidenced by Agreed Order Confirming Agreed Report entered December 5, 2005.

**THE SUBJECT "Lot X"** includes as a small part thereof the property conveyed to Norfolk Redevelopment and Housing Authority by Deed of Exchange by and between Norfolk Redevelopment and Housing Authority and Hampton Dash 2 Eat, LLC, dated January 11, 2009, duly recorded in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia as Instrument Number 090012191.

**THE PORTION OF THE SUBJECT "Lot X"** acquired by Norfolk Redevelopment and Housing Authority in the Deed of Exchange mentioned in the preceding paragraph is subject to a restrictive covenant contained in the Deed of Exchange to the effect that in the event a residence is constructed on all or any part of "Lot X", the westernmost 25 feet of Lot "X" will be improved with a buffer of landscaping to be approved as to design, construction and plantings by the current or former owner of the adjacent land.